GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Agriculture & Cooperation Department. – V&E Cases – Sri H.Sekhar Naik, the then Mandal Agriculture Officer, Dharmavaram, I/c of Kanaganapalli, Ananthapuramu District and presently working as Agriculture Officer O/o Assistant Director of Agriculture (STL), Ananthapuramu District – Allegations of misappropriation of Government funds in Subsidy Sunflower Seed distribution during 2009-10 in Ananthapuramu District – Departmental action initiated under A.P.Civil Services (CCA) Rules, 1991 – Imposition of the penalty of "Withholding of (1) Annual Grade Increment with cumulative effect", under A.P.Civil Services (CCA) Rules, 1991 – Orders – Issued.

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AGRICULTURE AND CO-OPERATION (VIG.I) DEPARTMENT

G.O.Ms.No. 19 **Dated :10.03.2022**

Read the following:

1. From the Director General (Vig. & Enft.) & E.O. Prl. Secy to Government., General Adminstration (V&E) Dept., Vigilance Report No.29, (C.No. 389/V&E/D2/2010), dt.10.5.2012.
2. Govt. Memo. No. 6554/Vig.I-1/2012-3, A & C (Vig.I) Dept., dt.22.6.2012.
3. From the Commissioner and Director of Agriculture, A.P., Hyderabad, Letter No.Vig.IV(2)269/12, dt.02.11.2012.
4. Govt. Memo. No. 6554/Vig.I-1/2012-9, A & C (Vig.I) Dept., dt.22.11.2012.
5. G.O.Rt.No.1297, A & C (Vig.I) Dept., dt.22.11.2012.
6. From the Commissioner & Director of Agriculture, A.P., Hyderabad, Letter No.Vig.IV(2)269/12, Dt:11.12.2012 & 18.01.2013.
7. G.O.Rt. No.484, A & C (Vig.I) Dept., dt.14.03.2013.
8. From the Commissioner & Director of Agriculture, A.P., Hyderabad, Letter No.Vig.IV(2)269/12, dt.02.05.2014, along with Inquiry Report dt.25.05.2013.
9. Govt. Memo. No. 6554/Vig.I-1/2012, A & C (Vig.I) Dept., dt.11.08.2014.
10. From the Director of Agriculture, A.P., Hyderabad, Letter.No.Vig.IV(2)269/2012, dt.08.02.2016.
11. From the Director of Agriculture, A.P., Guntur, Letter No.Vig.IV(2)269/2012, dt.19.05.2017.
12. Govt. Letter No. 6554/Vig.I/2012 , A & C (Vig.I) Dept., dt. 16.12.2021.
13. From the Joint secretary, A.P. Public Service Commission, Vijayawada, Letter No. 589/DC&C/2021, dt.02.02.2022.

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O R D E R:

In the reference 1st read above, the Director General (Vig. & Enft.) & E.O. Prl. Secretary to Government, General Adminstration (V&E) Department A.P., Hyderabad has submitted a report regarding irregularities in distribution of Subsidy Sunflower Seed in Ananthapuramu District, during the year 2009-10 and requested the Department to take suitable disciplinary action as deemed fit against Sri H.Sekhar Naik, the then Mandal Agriculture Officer, Dharmavaram, I/c of Kanaganapalli, Ananthapuramu District for his lapses during Subsidy Sunflower Seed distribution.

2. Accordingly, the Government have issued instructions to the Commissioner & Director of Agriculture, A.P., Hyderabad, in the reference 2nd read above, to take necessary action on the recommendations of the V & E Dept. and also to furnish draft Articles of Charge against Sri H.Sekhar Naik, the then Mandal Agriculture Officer, Dharmavaram, I/c of Kanaganapalli, Ananthapuramu District for further action in the matter and in the reference 3rd read above, the Commissioner and Director of Agriculture, A.P., Hyderabad, has furnished draft Articles of Charge against Sri H.Sekhar Naik, the then Mandal Agriculture Officer, Dharmavaram, I/c. of Kanaganapalli, Ananthapuramu District.

3. In the reference 4th read above, the Government have issued Common Proceedings, under A.P.Civil Services (CCA) Rules, 1991, against Sri H.Sekhar Naik, the then Mandal Agriculture Officer, Dharmavaram, I/c of Kanaganapalli, Ananthapuramu District & (4) Others and issued Articles of Charge against Sri H.Sekhar Naik, the then Mandal Agriculture Officer, Dharmavaram, I/c of Kanaganapalli, Ananthapuramu District through the Commissioner and Director of Agriculture, A.P., Hyderabad, in the reference 5th read above, with a direction to submit his Written Statements of Defense (WSD) within (10) days of the receipt of this G.O., specifically admitting/denying the Articles of Charge.

(P.T.O)

4. In the reference 6th read above, the Commissioner of Agriculture, A.P., Hyderabad has forwarded the Written Statement of Defence (WSD) of the Charged Officers in which Sri H.Sekhar Naik, the then Mandal Agriculture Officer, Dharmavaram, I/c of Kanaganapalli, Ananthapuramu District has denied the Articles of Charge issued against him. Since Written Statement of Defence (WSD) is far from convincing, the Government have appointed Smt.D.S.S.Suseela, Addl.Director of Agriculture-IV, O/o Commissioner & Director of Agriculture, A.P., Hyderabad, as the Inquiry Authority, in the reference 7th read above, to inquire into the Articles of Charge issued against the Charged Officer and also appointed the Joint Director of Agriculture, Ananthapuramu as Presenting Officer, to present the case before the Inquiry Authority.

5. In the reference 8th read above, the Commissioner & Director of Agriculture, A.P., Hyderabad has forwarded the Report submitted by Smt.D.S.S.Suseela, Addl. Director of Agriculture-IV, O/o Commissioner & Director of Agriculture, A.P., Hyderabad & Inquiry Authority in which she has stated that the Articles of Charge issued against Sri H.Sekhar Naik, the then Mandal Agriculture Officer, Dharmavaram, I/c of Kanaganapalli, Ananthapuramu District are held proved.

6. In the reference 9th read above, the Government have communicated a copy of the Inquiry Report to the Charged Officer Sri H.Sekhar Naik, the then Mandal Agriculture Officer, Dharmavaram, I/c of Kanaganapalli, Ananthapuramu District through the Special Commissioner of Agriculture, A.P., Hyderabad, calling for his explanation, if any, and in the reference 10th read above, the Director of Agriculture, A.P.,Hyderabad, has submitted the dated acknowledgements and written explanations submitted by the Charged Officers in which Sri H.Sekhar Naik, the then Mandal Agriculture Officer, Dharmavaram, I/c of Kanaganapalli, Ananthapuramu District has denied the Articles of Charge issued against him and further in the reference 11th read above, the Commissioner & Director of Agriculture, A.P., Hyderabad has stated that he has agreed with the findings of the Inquiry Authority.

7. The Government have examined the case, in consultation with the advisory department and taken a provisional decision to impose the penalty of "Withholding of (1) Annual Grade Increment with cumulative effect" against the Charged Officer Sri H.Sekhar Naik, the then Mandal Agriculture Officer, Dharmavaram, I/c of Kanaganapalli, Ananthapuramu District under A.P.Civil Services (CCA) Rules, 1991 and accordingly requested the Secretary, A.P.Public Service Commission, Vijyawada, in the reference 12th read above, to place the above proposed penalty against the Charged Officer, before the Commission, under Regulation 17 of A.P.P.S.C. Regulations, 1963 and obtain its concurrence and communicate the same to the Government, for further action in the matter.

8. In the reference 13th read above, the Joint Secretary, A.P.Public Service Commission, Vijayawada has stated that the Commission agrees with the proposal of the Government to impose the penalty of "Withholding of (1) Annual Grade Increments with cumulative effect" against Sri H.Sekhar Naik, the then Mandal Agriculture Officer, Dharmavaram, I/c of Kanaganapalli, Ananthapuramu District and advised accordingly.

9. The Government, after careful examination of the matter, hereby, impose the penalty of "Withholding of (1) Annual Grade Increments with cumulative effect" against the Charged Officer Sri H.Sekhar Naik, the then Mandal Agriculture Officer, Dharmavaram, I/c of Kanaganapalli, Ananthapuramu District and presently working as Agriculture Officer, O/o Assistant Director of Agriculture (STL), Ananthapuramu, under A.P.Civil Services (CCA) Rules, 1991 for the Articles of Charge issued against him are held proved.

10. The Commissioner of Agriculture, A.P., Guntur shall take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

POONAM MALAKONDAIAH
CHIEF COMMISSIONER, RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri H.Sekhar Naik, Agriculture Officer O/o Assistant Director of Agriculture (STL), Ananthapuramu District (through the Commissioner of Agriculture, A.P., Guntur)
The Commissioner of Agriculture, A.P., Guntur.

(Contd.p.3)

Copy to:

The Prl. Accountant General, A.P., Vijayawada.
The Director of Treasuries & Accounts, A.P., Vijayawada.
The District Treasury Officer, Ananthapuramu.
The Joint Director of Agriculture, Ananthapuramu.
The Assistant Director of Agriculture (STL), Ananthapuramu District
The P.S. to Secretary, A.P.Public Service Commission, Vijayawada.
The P.S. to A.P.Vigilance Commissioner, APVC,
Block-5, First Floor, AP Secretariat Buildings, Amaravati at Velagapudi.
Sf/Sc.

// FORWARDED BY ORDER//

SECTION OFFICER